

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
OPTICSPLANET, INC.,

08-CV-6465 (RJS) (FM)

Plaintiff,

-against-

**NOTICE OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

REGENCY GLOBAL SOLUTIONS, INC.,  
d/b/a PRECHARGE RISK MANAGEMENT  
SOLUTIONS,

Defendant.  
-----X

TO: Stephen H. Nakamura, Esq.  
MERLE, BROWN & NAKAMURA, P.C.  
*Attorneys for Defendant*  
90 Broad Street, Suite 2201  
New York, New York 10004

PLEASE TAKE NOTICE that upon the annexed affidavit of movant Leslie A. Berkoff in support of this motion, the declaration of David Seidman in support of this motion and the Certificates of Good Standing annexed hereto, we move this Court before the Honorable Robert J. Sullivan, United States District Judge, at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of the applicant, David Seidman, a member of the Enterprise Law Group and a member in good standing of the Bars of the State of Illinois and the District of Columbia, as attorney *Pro Hac Vice* to argue or try this case in whole or in part as counsel for plaintiff, OpticsPlanet, Inc.

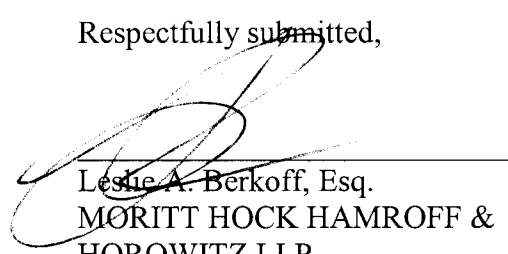
FILED  
U.S. DISTRICT COURT  
2008 SEP -4 AM 9:57  
S.D. OF N.Y.

681000-526  
925-602134  
SEP 04 2008

There are no pending disciplinary proceedings against movant, David Seidman, in any State or Federal court.

Dated: September 3, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leslie A. Berkoff', is written over a horizontal line.

Leslie A. Berkoff, Esq.  
MORITT HOCK HAMROFF &  
HOROWITZ LLP  
400 Garden City Plaza  
Garden City, New York 11530  
mcardello@moritthock.com  
(516) 873-2000

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
OPTICSPLANET, INC.,

Plaintiff,

-against-

REGENCY GLOBAL SOLUTIONS,  
d/b/a PRECHARGE RISK MANAGEMENT  
SOLUTION,

Defendant.  
-----X

08-CV-6465 (RJS) (FM)

**AFFIDAVIT OF  
LESLIE A. BERKOFF  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

State of New York                    )  
  )     ss:  
County of Nassau                    )

Leslie A. Berkoff, being duly sworn, hereby deposes and says as follows:

1. I am a partner with the law firm of Moritt Hock Hamroff & Horowitz LLP, counsel for plaintiff, OpticsPlanet, Inc. (the "Plaintiff") in the above captioned action. I am familiar with the proceedings in this case. I make this statement, based on my personal knowledge of the facts set forth herein, in support of the within motion to admit David Seidman (the "Admittee"), an attorney with the Enterprise Law Group, LLP, *Pro Hac Vice*, to appear, argue and/or try this case in whole or in part as counsel for the Plaintiff.
2. I am a member in good standing of the bar of the State of New York and of the bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. The Admittee is a member in good standing of the bars of the State of Illinois and the District of Columbia, as is evidenced by Exhibit "A" hereto, and is an individual of high moral character.
4. Accordingly, I am pleased to move for the admission of the Admittee, *Pro Hac Vice*.
5. I respectfully submit a proposed order granting the Admittee admission to this Court, *Pro Hac Vice*, which is attached hereto as Exhibit "B".

WHEREFORE, it is respectfully requested that the motion to admit David Seidman, *Pro Hac Vice*, to appear, argue and/or try this case in whole or in part as counsel for plaintiff, OpticsPlanet, Inc., be granted.

Dated: September 3, 2008

Respectfully submitted,

  
Leslie A. Berkoff, Esq.

MORITT HOCK HAMROFF &

HOROWITZ LLP

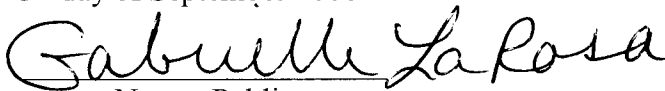
400 Garden City Plaza

Garden City, New York 11530

lberkoff@moritthock.com

(516) 873-2000

Sworn to before me this  
3<sup>rd</sup> day of September 2008

  
Notary Public

GABRIELLE LAROSA  
NOTARY PUBLIC, State of New York  
No. 01LA5076294  
Qualified in Nassau County  
Commission Expires April 21, 2011

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
OPTICSPLANET, INC.,

08-CV-6465 (RJS) (FM)

Plaintiff,

-against-

REGENCY GLOBAL SOLUTIONS, INC.,  
d/b/a PRECHARGE RISK MANAGEMENT  
SOLUTIONS,

**DECLARATION OF  
DAVID SEIDMAN  
IN SUPPORT OF  
MOTION TO ADMIT  
COUNSEL  
PRO HAC VICE**

Defendant.  
-----X

State of Illinois                    )  
  )       ss:  
County of Cook                    )

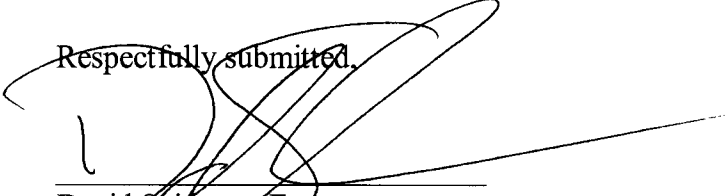
I hereby declare under penalty of perjury as follows:

1. I am an attorney with the Enterprise Law Group, LLP.
2. I submit this declaration in support of the motion for my admission to practice *Pro Hac Vice* in the above captioned matter.
3. As shown in the Certificates of Good Standing, annexed hereto as Exhibit “A”, I am a member in good standing of the Bars of the State of Illinois and the District of Columbia.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

WHEREFORE, it is respectfully requested that the motion to admit your declarant, David Seidman, *Pro Hac Vice*, to argue or try this case in whole or in part as counsel for plaintiff, OpticsPlanet, Inc., be granted.

Dated: August 29, 2008

Respectfully submitted,

  
\_\_\_\_\_  
David Seidman, Esq.  
The Enterprise Law Group, LLP  
Three First National Plaza  
70 West Madison Street  
Suite 740  
Chicago, Illinois 60602  
(312) 578-0200  
david@enterpriselg.com

Sworn to before me this  
29<sup>th</sup> day of August, 2008



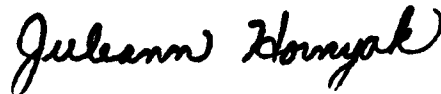
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

David Seidman

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 6, 1997 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Monday, August 25, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND FINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

DAVID SEIDMAN

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was on the 8<sup>th</sup> day of JANUARY, 2001

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar:

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on August 27, 2009.

GARLAND FINKSTON, JR., CLERK

By: M. Charles  
Deputy Clerk



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
OPTICSPLANET, INC.,

08-CV-6465 (RJS) (FM)

Plaintiff,

-against-

REGENCY GLOBAL SOLUTIONS, INC.,  
d/b/a PRECHARGE RISK MANAGEMENT  
SOLUTIONS,

**ORDER**  
**ADMISSION TO PRACTICE**  
**PRO HAC VICE**

Defendant.  
-----X

The motion for admission to practice *Pro Hac Vice* in the above captioned matter is granted. The admitted attorney, David Seidman, is permitted to appear, argue and/or try this particular case in whole or in part as counsel or advocate for the plaintiff, OpticsPlanet, Inc. (the "Plaintiff").

An attorney admitted to practice *Pro Hac Vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case and it will be entered on the Court's docket. A notation of your admission *Pro Hac Vice* for the above listed case will be made on the roll of attorneys.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X Index No.: 08-cv-6465

OPTICSPLANET, INC.,

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

REGENCY GLOBAL SOLUTIONS, INC.  
dba PRECHARGE RISK MANAGEMENT  
SOLUTIONS,

Defendant.

-----X

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU )

Dina Marlow, being duly sworn, deposes and says:

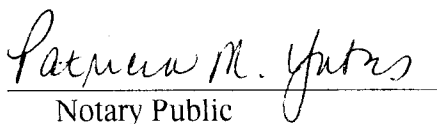
I am not a party to the action, am over 18 years of age and reside in Farmingville, New York.

On the 3rd day of September, 2008, I served a true copy of the Notice of Motion to Admit Counsel Pro Hac Vice, Affidavit of Leslie A. Berkoff in Support of Motion to Admit Counsel Pro Hac Vice, and the Declaration of David Seidman in Support of Motion to Admit Counsel Pro Hac Vice and supporting Exhibits, via Federal Express for overnight mail delivery in a sealed envelope and placed in an official Federal Express depository, addressed to the last known address of the addressee(s) as indicated below:

Stephen H. Nakamura, Esq.  
MERLE, BROWN & NAKAMURA, P.C.  
*Attorneys for Defendant*  
90 Broad Street, Suite 2201  
New York, New York 10004

  
DINA MARLOW

Sworn to before me this  
3<sup>rd</sup> day of September, 2008

  
Notary Public

**PATRICIA M. YATES**  
Notary Public State of New York  
No. 01YA6077069  
Qualified in Nassau County  
Commission Expires 7/01/20 10